

Filed 4-17-15
Clerk, U. S. District Court
Western District of Texas
By K. L. V.
Deputy

UNITED STATES MAGISTRATE COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Juan AREVALO,

Defendant.

MAGISTRATE NO. SA 15-MJ-0352

GOVERNMENT'S MOTION TO DETAIN DEFENDANT
AND MOTION FOR CONTINUANCE

TO THE UNITED STATES MAGISTRATE JUDGE:

The United States of America, by and through the United States Attorney for the Western District of Texas, and pursuant to Title 18 U.S.C. 3142, files this Motion to Detain Defendant and Motion for Continuance and states:

I.

Section 3142(f) requires detention of a defendant upon motion of the Government if Defendant has been charged in this cause with an offense involving:

☐ A crime of violence, sex trafficking of children under 18 U.S.C. § 1591, or terrorism under 18 U.S.C. § 2332b(g)(5)(B);

☒ A felony offense under the Controlled Substances Act for which the statutory maximum term of imprisonment is ten years or more;

☐ An offense for which the maximum sentence is life imprisonment or death;

☐ An offense that involves a minor victim or failure to register as a sex offender;

☐ An offense that involves possession or use of a firearm, destructive device, or dangerous weapon;

Or,

☐ A serious risk of flight or a serious risk of obstruction of justice, intimidation, or threats to a prospective witness.

The Government moves for detention and requests a three-day continuance.

II.

Section 3142(d) mandates that a defendant be ordered temporarily detained if the judicial officer determines that the defendant may flee or pose a danger to the community or to any other person, and at the time the offense was committed the defendant was on conditional release or not a United States citizen or permanent resident. Here:

☒ the defendant was on release pending trial for a felony offense;

☐ the defendant was on release pending imposition of sentence, appeal of sentence, or completion of sentence for any offense;

☐ the defendant was on probation or parole for any offense;

☐ the defendant is not a United States citizen or not admitted lawfully for permanent residence,

The Government moves for detention and requests a ten-day continuance.

WHEREFORE, PREMISES CONSIDERED, no condition or conditions will reasonably assure the appearance of Defendant as required and the safety of community, and pursuant to 18 U.S.C. § 3142(f), the Government requests that this Court detain Defendant without bond

pending trial, and asks for a hearing on this matter.

Respectfully submitted,

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Acting United States Attorney

/s/
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UNITED STATES MAGISTRATE COURT

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ORDER

On this date the Court considered the Government's Motion to Detain Defendant, and the Court having reviewed said motion finds that it should be **GRANTED**.

IT IS HEREBY ORDERED that the Government's Motion to Detain Defendant is **GRANTED**.

IT IS FURTHER ORDERED that Defendant's bond hearing is set for _____ at _____ a.m. / p.m.

SIGNED AND ENTERED on: _____

PAMELA A. MATHY
UNITED STATES MAGISTRATE JUDGE